## Austin & Rogers, P.A.

WILLIAM FREDERICK AUSTIN (1930-2016)

ATTORNEYS AND COUNSELORS AT LAW

TIMOTHY F, ROGERS RAYMON E. LARK, JR. RICHARD L. WHITT EDWARD L. EUBANKS W. MICHAEL DUNCAN\*

\* ALSO ADMITTED IN N.C.

COLUMBIA OFFICE

CONGAREE BUILDING 508 HAMPTON STREET, SUITE 300 POST OFFICE BOX 11716 (29211) COLUMBIA, SOUTH CAROLINA 29201 TELEPHONE: (803) 256-4000 FACSIMILE: (803) 252-3679 WWW.AUSTINROGERSPA.COM

November 16, 2017

## VIA, ELECTRONIC FILING

The Honorable Jocelyn Boyd Chief Clerk and Administrator The Public Service Commission of South Carolina 101 Executive Center Drive Columbia, South Carolina 29210

> Re: Docket Number 2017-305-E

> > • Petition to Intervene (Out of Time)

Dear Ms. Boyd:

Enclosed for filing, please see Petitioner, South Carolina Solar Business Alliance's Petition to Intervene (Out of Time) Cover Sheet and Certificate of Service.

All parties of record have been served. Please notify the undersigned if you there is anything else you may need.

Respectfully Submitted,

/s/

Richard L. Whitt, Timothy F. Rogers.

RLW/cas

OF COUNSEL: JEFFERSON D. GRIFFITH, III

#### BEFORE

# THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA DOCKET NO. 2017-305-E

IN RE:	Request of the Office of Regulatory Staff	)	
	for Rate Relief to South Carolina	)	PETITION
	Electric & Gas Company's Rates	)	TO
	Pursuant to S.C. Code Ann. § 58-27-920	Ś	INTERVENE
	<b>3</b>	j	(Out of Time)
		)	

The South Carolina Office of Regulatory Staff, ("ORS"), filed a Request for Rate Relief to South Carolina Electric & Gas Company's Rates, ("SCE&G"), pursuant to S.C. Code Ann. Section 58-27-920, on September 26, 2017.

Petitioner herein is South Carolina Solar Business Alliance, LLC ("SCSBA" or "Petitioner"). This Petition to Intervene is filed pursuant to R. 103-825, of this Commission's Rules and Regulations and other applicable Rules and Regulations of this Commission. Petitioner seeks permission to intervene out of time and be made a party of record in the above-referenced Docket, with full rights of participation. This Petition to Intervene (Out of Time) follows:

- 1. SCSBA is a Public Benefit Non-Profit Corporation, by a conversion filing on May 17, 2017, with the South Carolina Secretary of State's office, originally organized on October 21, 2009, pursuant to Chapter 44 of Title 33 of the South Carolina Code of Laws and, since that date, remaining in good standing with the South Carolina Secretary of State.
- SCSBA's principal place of business is currently co-located with that of Southern Current LLC at 1634 Ashley River Road, Charleston, South Carolina, 29407 and SCSBA's mailing address is currently co-located with that of the Hannah Solar Government Services, LLC at 1090 Jack Primus Road, Charleston, South Carolina, 29492.
- 3. SCSBA is organized for the purpose of promoting and advocating public policy positions supportive of solar power generation in South Carolina.

- 4. SCSBA is a Public Benefit Non-Profit Corporation, whose Board Members are the following individuals, all of whom conduct solar energy-related business in South Carolina under the company names indicated:
  - a. Paul Fleury (Southern Current LLC);
  - b. Grant Reeves (TIG Sun Energy I and II, LLC);
  - c. Don Zimmerman (Alder Energy Systems, LLC);
  - d. Dave McNeil (Hannah Solar Government Services, LLC);
  - e. Bret Sowers, (Board Chairman), (Southern Current LLC);
  - f. Jarrett Branham (SolBright Renewable Energy, LLC); and
  - g. Emily Johnson (Hannah Solar Government Services, LLC).
- 5. SCSBA's more than sixty (60) Trade Members includes solar energy developers, engineering procurement and construction (EPC) contractors, professional service firms, equipment distributors and equipment manufacturers engaged in the business of solar energy generation in South Carolina and across the nation. All of SCSBA's Board Members' companies maintain offices in South Carolina.
  - 6. Therefore, SCSBA is financially impacted by the subject matter of this Docket.
- 7. Specifically, Petitioner, SCSBA's Trade Members conduct business with SCE&G and Petitioner, SCSBA has material interest in the subject matter of this Docket.
- 8. SCE&G filed a Request for Rate Relief on September 26, 2017. Thereafter, ORS completed its filing, which opened this Docket.
- 9. As outlined hereinabove, Petitioner, SCSBA has substantial business interests with SCE&G and SCE&G's Consumers in SCE&G's assigned territory in South Carolina.
- 10. Petitioner's position is that SCSBA has a direct and substantial interest in the subject matter of this Docket and Petitioner's interests cannot be adequately addressed by any other party. Petitioner's Intervention will aid this Commission by assisting in the development of a full and fair record to address the subject matter of this Docket. As shown above, Petitioner has a direct and material interest in the subject matter of this Docket and Petitioner's interests are not adequately represented by the current parties in this Docket.

- 11. This Petition to Intervene (Out of Time) is filed within three calendar days of the date for intervention in this Docket, due to the press of legal matters on counsel. Petitioner's three day delay in filing this Petition will not prejudice any party.
- 12. Petitioner should be allowed to intervene in this Docket out of time, with full rights of cross examination, discovery and participation in any Hearing to be scheduled in this Docket.
- 13. The granting of SCSBA's Petition to Intervene is (i) in the public interest and (ii) consistent with the policies of this Commission in encouraging maximum public participation in issues before it and intervention should be allowed so that a full and complete record addressing its views and concerns can be developed.
- 14. Petitioner, SCSBA has previously received approval for intervention from this Commission on numerous occasions, including in recent Commission Docket No. 2015-362-E, Docket No. 2015-8-E, Docket No. 2016-2-E, Docket No. 2016-1-E, Docket 2016-3-E, Docket 2016-9-E, Docket 2016-8-E, Docket 2016-10-E, Docket 2017-2-E, Docket 2017-1-E, and Docket 2017-3-E.
  - 15. SCSBA is represented by counsel in this proceeding:

Timothy F. Rogers
AUSTIN & ROGERS, P.A.

508 Hampton Street, Suite 300 Columbia, South Carolina 29201 Telephone: (803) 256-4000 Facsimila: (803) 252-3679

Facsimile: (803) 252-3679 TFRogers@AustinRogersPA.com

## WHEREFORE, Petitioner prays for the following relief:

- (a) That this Petition to Intervene (Out of Time) be accepted and that Petitioner be made a party of record;
- (b) That Petitioner be allowed to participate fully in this proceeding and take such positions as it deems advisable; and
  - (c) For such other and further relief as is just and proper.

[Signature Page Follows]

Petition in Docket Number 2017-305-E November 16, 2017 Page 4 of 4

Respectfully Submitted,

/s/

Richard L. Whitt,
Timothy F. Rogers,
AUSTIN & ROGERS, P.A.
508 Hampton Street, Suite 300
Columbia South Carolina, 29201
(803) 256-4000
Counsel for Petitioner, SCSBA.

November 16, 2017 Columbia, South Carolina

### **BEFORE**

## THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

### **DOCKET NO. 2017-305-E**

IN RE:	Request of the Office of Regulatory Staff	)		
	for Rate Relief to South Carolina Electric	)		
	& Gas Company's Rates Pursuant to S.C.	)	CERTIFICATE OF	<b>SERVICE</b>
	Code Ann. § 58-27-920	)		
	•	)		
		)		

I, Carrie A. Schurg, an employee of Austin & Rogers, P.A., certify that I have served copies of the Cover Sheet, Petitioner, South Carolina Solar Business Alliance's Petition to Intervene and this Certificate of Service, as indicated below, via electronic mail on November 16, 2017.

Alexander G. Shissias

Email: alex@shissiaslawfirm.com

Damon E. Xenopoulos

Email: DEX@smxblaw.com

Dino Teppara

Email: Dino.Teppara@gmail.com

Frank Knapp, Jr.

Email: fknapp@knappagency.com

J. Blanding Holman, IV Email: Bholman@selcsc.org

Jeffrey M. Nelson

Email: jnelson@regstaff.sc.gov

John H. Tiencken, Jr.

Email: jtiencken@tienckenconway.com

Lara B. Brandfass

Email: Ibrandfass@spilmanlaw.com

Matthew W. Gissendanner

Email: matthew.gissendanner@scana.com

Mitchell Willoughby

Email: mwilloughby@willoughbyhoefer.com

Robert E Tyson Jr

Email: rtyson@sowellgray.com

Scott Elliott

Email: selliott@elliottlaw.us Stephanie U. (Roberts) Eaton Email: sroberts@spilmanlaw.com

Christopher S. McDonald

Email: cmcdonald@tienckenconway.com

Derrick Price Williamson

Email: dwilliamson@spilmanlaw.com

Elizabeth Jones

Email: ejones@selcsc.org

Frank R. Ellerbe, III

Email: fellerbe@sowellgray.com

J. Emory Smith Jr. Email: esmith@scag.gov

John B. Coffman

Email: john@johncoffman.net

K. Chad Burgess

Email: chad.burgess@scana.com

Lynn Teague

Email: TeagueLynn@gmail.com

Michael N. Couick

Email: mike.couick@ecsc.org

Robert D. Cook

Email: bcook@scag.gov

Email: bguild@mindspring.com Shannon Bowyer Hudson

Email: shudson@regstaff.sc.gov

Stephen Suggs

Email: ssuggs@scjustice.org

Carrie A. Schurg

November 16, 2017 Columbia, South Carolina